

CHAPTER 5. LOT STANDARDS

501. LOT DESIGN, ARRANGEMENT AND LAYOUT

501.1 General requirements

The developer shall create lots meeting the following criteria:

- (1) Each lot shall have sufficient size and shape to allow the construction of a residential, commercial or industrial structure (as designated by the plat or Zoning Map) that can meet the requirements of established building, construction, housing and public health codes.
- (2) Each lot shall have sufficient size and shape to accommodate easements for all public and private utility services and facilities.
- (3) The developer shall provide individual utility connections of all metered utilities for all buildings or units intended for individual ownership; provided, however, that the developer need not provide individually metered water service to apartment-type condominiums (see also Chapters 8 and 9).
- (4) Every lot created shall have public street access, public water and public sewer (see Chapters 6, 8, and 9).

501.2 Lot shapes

The developer shall design lots, so far as is possible, with side lot lines at right angles or radial to any adjacent street right-of-way line.

501.3 Setbacks

All lots shall have building setback lines established according to Table 5-1.

- (1) Measurement

The Building Official shall measure setback lines from the property line of the lot; provided, however, that where water, sanitary sewer or storm water drainage easements exist or are proposed and are not next to streets, setbacks shall be measured from the interior easement line.

- (2) Allowed encroachments

The provisions of Section 501.3 shall not apply to the following encroachments:

- (a) Driveways, walks, steps for negotiating ground slopes, retaining walls, hedges and natural growth, fences, paved patios and other paved structures used ornamentally, for gardening, or for private recreation purposes; provided, however, no exception is provided by this

section for any structure or feature that would conflict with the sight triangle.

See Section 604.3.

- (b) Uncovered porches, steps to building entrances, openwork fire balconies and fire escapes; provided, however, such structures or features are five (5) feet or more from any property line and ten (10) feet or more from any side street or front property line.

- (3) Violation by manufactured homes, mobile homes

A person violates this Code and commits an offense if he/she places or allows to be placed any manufactured home or mobile home on any lot within the City in violation of the building setback lines established by this Section.

501.4 Street access

All lots shall front or be next to at least one public street. Building sites established under Section 505.2 may front private streets (see also Section 611). To ensure adequate access to a lot by motor vehicles, the minimum width at the front property line of all lots shall be 24 feet on residential lots and 47 feet on non-residential lots.

501.5 Agriculture tracts

Where a developer creates agricultural tracts by land division within the ETJ of the City, the developer shall arrange the tracts in a way that allows the opening of future streets and logical resubdivision.

501.6 Gas and oil wells

No person shall drill a gas or well within two hundred (200) feet of any dwelling. Additionally, no person shall drill a gas and oil well upon lands dedicated to public use within the city limits.

502. RESIDENTIAL LOT STANDARDS

502.1 General

- (1) This section describes those general regulations that apply to residential land uses. Supplemental performance standards are provided for those residential uses having characteristics that may have negative impacts without the additional regulations. These supplemental standards are applied over and above the standards contained elsewhere in this Code. The development of any residential use shall be permitted only in full compliance with the following standards and Table 5-1: Lot Standards.
- (2) Residential lots shall front local residential (LR) streets; provided, however, that a residential lot may face a local commercial (LC-1), collector (C-1) or arterial (A-1, A-2) street if the lot contains adequate frontage to provide a circular driveway or a turnaround area that allows forward exiting by a vehicle from the lot. See Table 5-1 for the specific street standards

associated with each lot type.

- (3) A developer of shall provide a buffer where conflicts in land uses exist. See Section 1202 for buffer standards.

502.2 Rural residential lots

Besides the criteria listed in Table 5-1, the developer shall establish rural residential lots that conform to the following requirements:

- (1) Each lot shall have a width of not less than one-half (1/2) nor more than two (2) times the lot's depth.
- (2) The plat shall contain a statement limiting the subdivision or splitting of the lots to a minimum size of six-tenth (0.6) acre with one dwelling unit per lot.

502.3 Urban residential

Urban residential lots that are not located within a Neighborhood Conservation District (NC) may contain more than one single family residential structure. A minimum lot area of 6,000 square feet shall be required for each dwelling unit whether it be single family-attached or single family-detached.

502.4 Multi-family residential lots

Besides the criteria listed in Table 5-1, the developer shall establish multi-family residential lots that conform to the following requirements:

- (1) Lots shall contain an additional fifteen hundred (1,500) square feet for each dwelling unit more than two (2) dwelling units.
- (2) Buildings shall be provided with individual utility connections. See Sections 803 and 903.

See Section 1203 for park and open space requirements.

502.5 Garden/patio home lots

The garden/patio house is a single-family detached or attached unit that allows a structure to be placed against one or more lot lines rather than centered on the lot. See Section 505.3, Lot Line Developments, for additional requirements.

TABLE 5-1
LOT STANDARDS

LOT TYPE	MINIMUM LOT AREA (IN SQ.FT.) (1)	MINIMUM LOT WIDTH (IN FEET)	MINIMUM LOT DEPTH (IN FEET)	MINIMUM FRONT SETBACK (IN FEET)	MINIMUM SIDE SETBACK (IN FEET)	MINIMUM SIDE STREET SETBACK (IN FEET)	MINIMUM REAR SETBACK (IN FEET)	MAXIMUM DENSITY (IN D, U./ ACRE)	MINIMUM STREET STANDARD (2) (6)
Rural Residential	26,136	150	150	25	10	25'	10	1.2	LR-3 (2)(3)
Urban Residential	6,000	50	120	25	10	25'	10	7	LR-3 (4)
Apartment	7,500 (5)	75	100	25	10	25'	10	25	LR-3
Garden/Patio	5,000	45	100	25	10	25'	10	10	LR-3
Rowhouse	2,400	24	100	25	0	25'	10	15	LR-3
Non- Residential	7,500	75	100	25	10	25'	10	N/A	LC-1

- (1) Minimum lot area per dwelling unit.
- (2) Lots may be located on any street classification of greater but not lesser capacity than the minimum standard. The design of the development and the anticipated traffic generation will determine actual street design classification.
- (3) Residential streets located in the extraterritorial jurisdiction (ETJ) may provide two-course surface penetration preparation as an alternative to the standards described in Section 615.2 of the Development Code. Residential streets located in the ETJ serving only subdivisions containing no greater than one dwelling unit per five (5) acres may provide streets constructed to the alternative street construction standard defined in Section 614.3 and Table 6-2 of the Development Code.
- (4) Urban Residential developments with a density of two (2) dwelling units per acre or less may provide non-curbed and guttered paved streets as described in subsection 614.1.
- (5) For apartment lots with more than (2) dwelling units, the minimum lot size is calculated according to the number of dwelling units as described in subsection 502.4.
- N/A Not Applicable
- (6) Minimum street frontage for residential lots is 24', for commercial is 47'.

502.6 Rowhouse lots

Besides the criteria listed in Table 5-1, the developer shall establish rowhouse lots that meet the following requirements:

- (1) The developer shall provide all utilities to each dwelling unit on an individual basis.
- (2) All utilities shall be underground.
- (3) The developer shall file with the Walker County Clerk all covenants and declarations governing any property with a common maintenance or ownership agreement. The plat shall also reflect the Volume and Page deed reference of such covenants and declarations. The developer shall provide the City with copies of all agreements at the time of review of the subdivision plat.
- (4) Rowhouses shall be grouped in series of no more than twelve (12) dwelling units per series.
- (5) The minimum distance between each series of rowhouses shall be twenty (20) feet.

503. NONRESIDENTIAL LOT STANDARDS

This section contains regulations that apply to nonresidential uses. Nonresidential land uses regulated in this section include commercial, office, light and heavy industry, and certain public/semi-public uses. Supplemental standards are provided for those land uses having characteristics that may have negative impacts without the additional regulations. These supplemental standards are applied above the standards contained elsewhere in this Code.

503.1 Categories of use

All land uses not classified as residential are considered nonresidential in nature. Refer to Table 4-1 for a listing of major nonresidential use categories. Where more detailed datum is required, refer to the Standard Industrial Classifications Manual (1987) prepared by the Statistical Policy Division for the United States Office of Management and Budget.

503.2 General standards

The development of a nonresidential use shall be allowed only in full compliance with the standards of this and other relevant sections of this Code.

- (1) Lot Area and Building Placement - Certain minimum standards are hereby established for the protection of the health, safety and welfare of the public.

- (a) The minimum lot sizes and building setbacks are designated in Table 5-1.
 - (b) There are no building setbacks from an abutting right-of-way in the Downtown District; however, buildings, signs, or other structures shall not be placed in the sight triangle specified in Section 604.3 of this Code.
- (2) Signs shall be installed according to the standards shown in Chapter 11.
 - (3) Landscaping shall be provided and maintained according to the standards in Section 1201.
 - (4) Buffer zone requirements shall be required where conflicts in land uses exist. Refer to Section 1202 for buffer standards.
 - (5) Nonresidential lots shall front upon and have access from the following streets (see Chapter 6 for street standards): Local Commercial (LC), Collector (C-1,) and Arterial (A-1, A-2) streets. See Table 5-1 for the specific street standards associated with each lot type.

503.3 Recreation vehicle parks

It is the intent of this section to provide standards for the location and development of parks for recreation vehicles (RVs). Such parks are designed specifically to allow temporary living accommodations for recreation, camping, or travel use. Although the recreational vehicle park has some similarities to residential developments, it is categorized as a heavy commercial use when intended for temporary use.

The developer who creates a recreation vehicle park shall design the park so that::

- (1) The net density shall not be more than twenty-five (25) rental sites per acre.
- (2) Each rental site shall be a minimum of one thousand two hundred (1,200) square feet in area.
- (3) A recreation area shall be provided and shall equal five (5) percent of the gross site area.
- (4) A central service building shall be provided containing the necessary toilet and other plumbing fixtures. Service buildings shall be located to serve rental sites within four hundred (400) feet of each building.
- (5) All standards applying to general subdivision development regarding utilities (see Chapters 8 and 9), public and/or private streets (see Chapter 6) and fire protection shall apply to the design and development of a recreation vehicle park.

- (6) Maximum rental period per unit per space shall not exceed ninety (90) days.
- (7) All recreational vehicles shall be separated from each other and from all other structures by at least ten (10) feet.
- (8) A RV park shall provide sufficient parking and maneuvering space so that the parking, loading, or maneuvering of recreational vehicles incidental to the parking shall not demand the use of any public street, sidewalk or right-of-way.

503.4 Television, radio and microwave tower telecommunication equipment

The developer shall construct a transmission tower/antenna and accessory facilities according to the following standards:

- (1) The tower base shall be set back from adjacent lots or public property or streets by a distance equal to a minimum forty (40) percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater; and
- (2) Additionally, guy wire anchors shall be set back ten (10) feet from adjacent lots and twenty-five (25) feet from public property or streets; and
- (3) The site perimeter shall be landscaped according to the standards provided in Bufferyard D of Figure 12-1 of this Code.
- (4) No tower shall be erected within the following Landmark Districts:
 - (a) Seven thousand (7,000) feet of the Sam Houston Statue - Huntsville Visitor Center; and
 - (b) Twenty-five hundred (2,500) feet from the center of the courthouse square.

504. NOISE CONTROL

504.1 General

The making, creation, or maintenance of such excessive, unnecessary, unnatural or unusually loud noises which are prolonged, unusual and unnatural in their time, place and use affect are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the City.

504.2 Standards

These standards apply to noise from any machinery or equipment that is part of or operated within any development provided for in this Code. The maximum level of noise allowed in any land use

category is shown in Table 5-2: TABLE OF NOISE STANDARDS. Where a proposed development is next to more than one land use, the strictest standard shall apply. Measurements shall be made according to Section 504.3, and shall be made at the property line of the receiving land use.

504.3 Measurement

Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute (ANSI SI 4-1961) "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the A-weighted response scale and the meter to the slow response. Measurements shall be conducted according to ANSI SI. 2-1962 "American Standard Method for the Physical Measurement of Sound."

504.4 Noise prohibited

A person commits an offense if the person operates or causes to be operated on private property in the City any source of sound so as to create a sound level that exceeds the limits set forth for the receiving land use category in Table 5-2 when measured at or within the property boundaries within the receiving land use.

**TABLE 5-2
TABLE OF NOISE STANDARDS
(IN DECIBELS)**

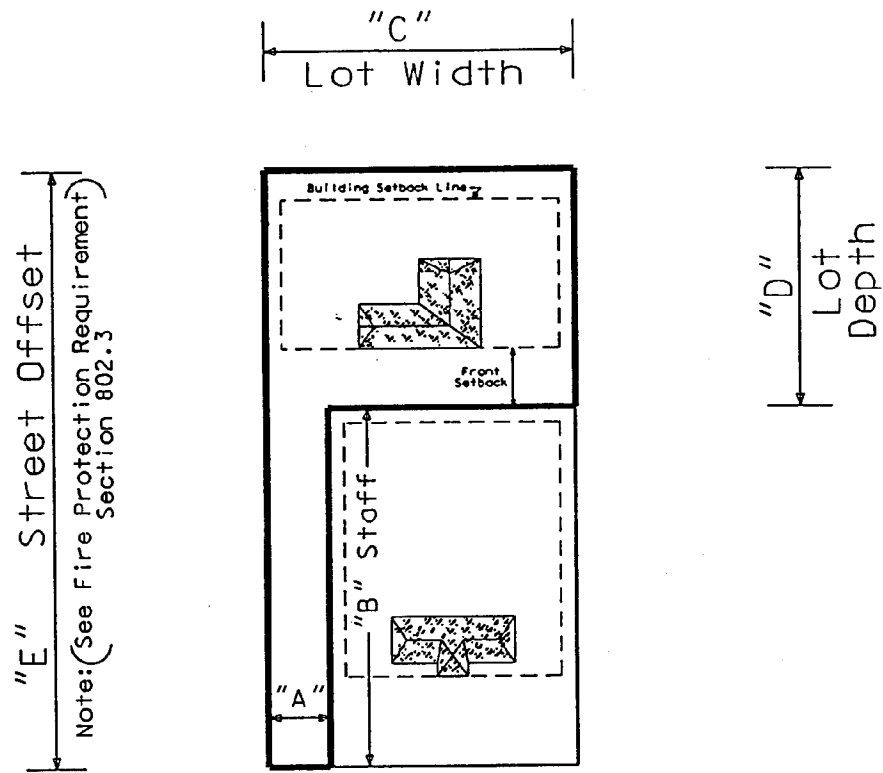
LAND USE WHERE NOISE EMANATES	CATEGORY	ADJACENT TO INDUSTRIAL	ADJACENT TO COMMERCIAL	ADJACENT TO RESIDENTIAL	ADJACENT TO OFFICE
	Industrial	72	72	55	66
	Commercial	66	66	55	66
	Residential	60	60	55	60
	Office	66	66	55	66

505. ALTERNATIVE DEVELOPMENT SCHEMES

505.1 Flag lots

Flag lots (See Figure 5-1) are allowed; provided, however, that the narrowest part of such a lot (the staff) shall not be less than twenty-five (25) feet in width nor have a length greater than two hundred (200) feet. The developer shall restrict flag lots to prevent the construction of any building, structure, wall or fence within the staff portion of the lot. The staff of the lot shall be

restricted for access to the lot only. Such restrictions shall be shown on the face of the plat as a notation.



	"A" Staff Width Min.	"B" Staff Length Max.	"C" Lot Width Min.	"D" Lot Depth Min.	"E" Offset Max.
Single Family Residential	25'	200'	50'	100'	400'
Non Residential	50'	100'	75'	100'	400'

Note: 1. Flag Lots Shall Not be Developed as Multi-Family Residential Developments.

2. Max Size of Non-Residential Flag Lots Shall be 2.0 Acres.

Huntsville Design Criteria	FLAG LOT	Scale: NONE
Revisions		FIGURE 5-1

505.2 Unified developments

A unified development is a planned development of land under singular control (community or property owners' association) developed as a whole, whether in a single development operation or programmed series of development. A developer shall create any unified developments or condominium developments according to the criteria established below. The plat for such a development shall show all structures and their relationship to each other and to adjacent uses and improvements. Common elements such as land and recreational facilities shall be an essential and major element of the plat.

(1) Platting criteria

The plat shall show the following information:

- (a) The legal description of the land, showing the land involved and the location of each building (existing or proposed) or building site denoted by letter; i.e. A, B, C, etc.
- (b) The general description and the number of each apartment or unit in the development intended for individual ownership expressing its square footage, location and any other data necessary for its identification.
- (c) The general description of any other area to be subject to individual ownership and exclusive control, appropriately lettered or numbered.
- (d) The description of the general common elements.
- (e) The description of the limited common elements.
- (f) The fractional or percentage interest which each apartment or unit bears to the entire development.
- (g) Any further provisions, matters or covenants necessary.

(2) Property owners' association/condominium association

The developer shall establish the appropriate ownership association for the development. Only "one" association shall be established for the entire development. The developer shall submit the instrument to the Commission for review with the final plat. Where the developer desires to establish a Condominium Association Regime, a master deed, lease or declaration declaring that intention and setting forth the organization of the regime shall be filed at the office of the County Clerk.

See Tex. Prop. Code ch. 81 et seq.

The association instrument shall address the following items:

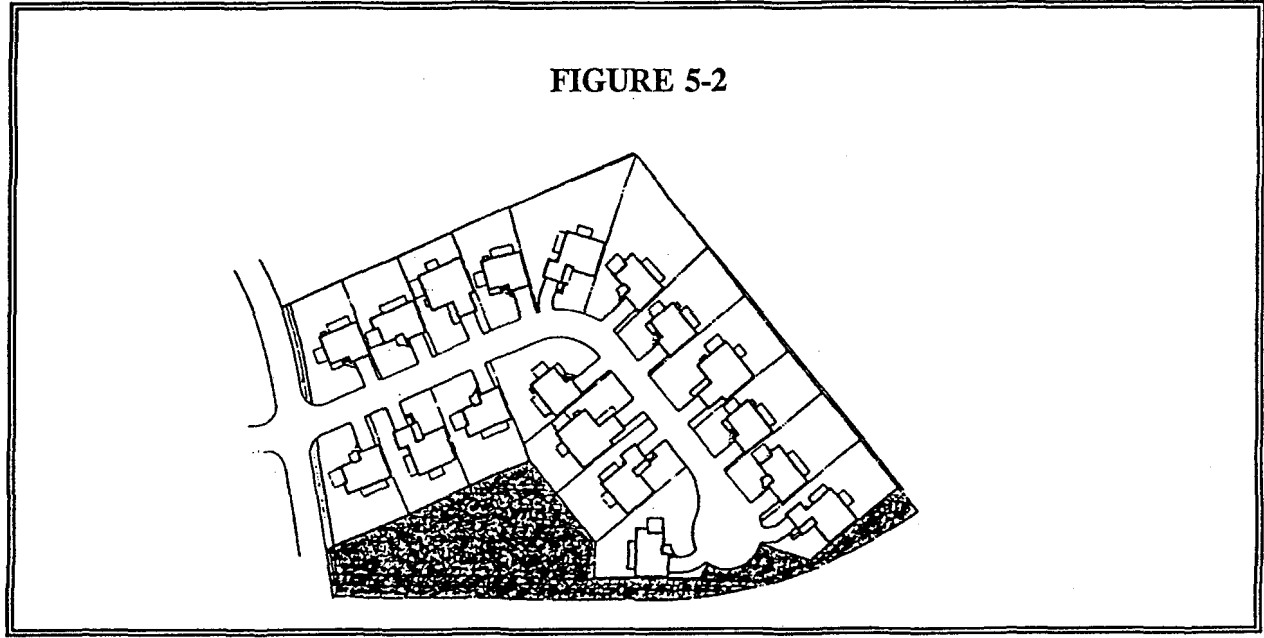
- (a) Define what is owned and by whom, including specific location and parameters of the individual unit and the ownership interest of the owners or the association in the common elements.
 - (b) Establish a system of interlocking relationships binding each owner to all other owners for maintaining and preserving what is owned and used in common.
 - (c) Establish an array of protective standards or restrictions designed to place limits and to assure that a certain level of appearance is maintained.
 - (d) Create an administrative vehicle to manage those elements shared in common and to enforce standards.
 - (e) Provide for the operation and financing of the association.
- (3) Building setbacks along the boundary line of the development and next to any public street and density standards shall be according to the standards established for like structures and/or lots in Table 5-1.
 - (4) At least thirty (30%) percent of any residential unified development shall be open space; provided, however, that the developer may provide less than thirty (30%) percent open space upon obtaining approval from the Commission by showing that the character of the amenities incorporated in the development warrant such decrease. Never should the open space requirement be reduced to less than ten (10%) percent of the total land area of the development. In granting a decrease in open space, the Commission shall consider such factors as the quality of the open space provided and the provision of recreation facilities such as tennis courts, swimming pools, playground equipment and other recreational facilities.
 - (5) Open space shall include all areas not covered by structures, streets or parking.
 - (6) No space less than twenty (20) feet shall be allowed between structures.

505.3 Lot line developments

Lot line developments (see Figure 5-2) may be established by the developer as alternatives to the building setback standards established for lots in Table 5-1 (see Figure 5-2). The developer shall establish residential, commercial and industrial lot line developments according to the following additional criteria:

- (1) No building shall be constructed on a lot line unless that lot line is a common boundary line with another lot platted within the same development and filed for public record.

FIGURE 5-2



- (2) A lot line development shall contain at least two (2) lots.
- (3) The setback on the adjacent lot shall be either zero (0) feet or at least ten (10) feet.
- (4) The wall on the zero setback side shall be constructed with a minimum fire wall as required by the building code, with no portion projecting over any property line.
- (5) A permanent easement for maintenance shall be provided to the zero lot line lot from the lot next to the zero lot line side where the adjacent lot has at least a ten (10) foot setback.
- (6) Openings on the zero lot line side of a dwelling shall be prohibited.
- (7) The developer shall provide all utilities to each dwelling unit on an individual basis.
- (8) The developer shall place all utilities underground.

505.4 Density increases

A developer may increase density for multi-family residential lots (see Section 502.4) and Unified Developments (see Section 505.2). The Commission may grant a variance from the maximum density stated in Table 5-1 by showing that the character of the development and/or amenities incorporated in the development warrant such increases. Never shall the density increase be more than fifty percent (50%) more than the maximum density for the standard lot established in Table 5-1.

The Commission shall consider the following factors in granting a density increase:

- (1) Unimproved common open space.
- (2) Improved common open space.
- (3) Character, identity, and architectural and siting variation incorporated in a development; provided that these factors make a substantial contribution to the objectives of the development. The degree of distinctiveness and the desirable variation achieved shall govern the amount of density increase that the Commission may approve. Such variations may include, but are not limited to, the following:
 - (a) Landscaping: Streetscape; open space and plazas; use of existing landscape; pedestrian way treatment; and recreational areas.
 - (b) Siting: Visual focal points; use of existing physical features such as topography; view; sun and wind orientation; circulation pattern; physical environment; variation in building setbacks; and building groups (such as clustering).
 - (c) Design features: Street sections; architectural styles, harmonious use of materials; parking areas broken by landscape features; and varied use of architectural types.
- (4) If the Commission finds that any of the following conditions would be created by an increase in density allowed in this section, the Commission shall either deny the request for density increase, or limit the increase in density by an amount sufficient to avoid the creation of any of the following conditions:
 - (a) Inconvenient or unsafe access to the development;
 - (b) Traffic congestion in streets adjoining the development; or
 - (c) An excessive burden imposed on public facilities that serve or are proposed to serve the development.

506. RESERVE TRACTS

506.1 Identification and designation

The developer shall label and identify all reserves on the plat. The developer shall note the use intended for such reserve as one of the following: RESERVED FOR COMMERCIAL USE; RESERVED FOR RESIDENTIAL USE; OR UNRESTRICTED RESERVE. The developer shall identify and designate all reserves by alphabetical letters, and show the total acreage within the reserve areas.

506.2 Public street access

The developer shall front all reserves established by any subdivision plat on at least one arterial, or collector street unless the reserve tract is restricted to residential use by plat and deed filed with the County Clerk. Street frontage of a reserve tract shall be a minimum of seventy-five (75) feet in width for unrestricted or commercial reserves and a minimum of sixty (60) feet for residential reserves.

506.3 Development

- (1) At the time of development of a reserve tract, the developer shall submit a plat of the reserve tract to the Planning Officer redesignating it into a lot and block form.
- (2) Whenever a reserve tract is proposed within a subdivision, the developer shall place the following note on the final plat: BEFORE DEVELOPMENT OF A RESERVE TRACT, A PLAT OF THE TRACT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL ACCORDING TO THE DEVELOPMENT CODE OF THE CITY OF HUNTSVILLE.